

## ORDINANCE NO. 9-2020

BY: **KRISTIN L. SABAN**  
(By Request – City Engineer)

AN ORDINANCE TO ACCEPT PERMANENT UTILITY EASEMENTS  
AND TEMPORARY CONSTRUCTION EASEMENTS IN CERTAIN  
PREMISES KNOWN AS PERMANENT PARCEL NUMBERS 445-  
14-002, 445-14-003, 445-15-005, 445-15-007, AND 445-15-017,  
AND DECLARING AN EMERGENCY.

WHEREAS, this City Council passed Resolution No 82-19 on May 20, 2019 declaring the necessity and intent of the City of Parma to appropriate sanitary sewer easements in certain real properties known as Permanent Parcel No. 445-14-002, located at 1450 Old Rockside Road, Permanent Parcel No. 445-14-003, located at 1400 Old Rockside Road, Permanent Parcel No. 445-15-005, located at 904 Old Rockside Road, Permanent Parcel No. 445-15-007, located at 1100 Old Rockside Road, and Permanent Parcel No. 445-15-017, located at 1000 Broadrock Court,

NOW, THEREFORE; BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-14-002 dated May 31, 2019 which is attached hereto as Exhibit A and incorporated herein by reference as the “Komar Easement.”;

Section 2. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-14-003 dated December 6, 2019 which is attached hereto as Exhibit B and incorporated herein by reference as the “Hvizd Easement.”;

Section 3. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-15-005 dated August 16, 2019 which is attached hereto as Exhibit C and incorporated herein by reference as the “Yevtukh Easement.”;

Section 4. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-15-007 dated June 27, 2019 which is attached hereto as Exhibit D and incorporated herein by reference as the “Woernley Easement.”;

Section 5. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Permanent Utility Easement Agreement” for Permanent Parcel No. 445-15-017 dated June 4, 2019 which is attached hereto as Exhibit E and incorporated herein by reference as the “Arlia Easement.”;

Section 6. The City Law Director is directed to do all things necessary to file the Komar Easement, the Hvizd Easement, the Yevtukh Easement, the Woernley Easement, and the Arlia Easement for record;

Section 7. The City Treasurer is directed to issue payment in the amount of Two Thousand dollars (\$2,000) to Merrilee Komar, trustee of MK Trust, property owner of Permanent Parcel No 445-14-002, as full consideration for the grant of the Komar Easement to the City of Parma;

Section 8. The City Treasurer is directed to issue payment in the amount of Two Thousand Five Hundred dollars (\$2,500) to Lillian Hvizd, property owner of Permanent Parcel No 445-14-003, as full consideration for the grant of the Hvizd Easement to the City of Parma;

Section 9. The City Treasurer is directed to issue payment in the amount of One Thousand dollars (\$1,000) to Sergey Yevtukh and Hanna Yevtukh, property owners of Permanent Parcel No 445-15-005, as full consideration for the grant of the Yevtukh Easement to the City of Parma;

Section 10. The City Treasurer is directed to issue payment in the amount of Two Thousand Forty-Five dollars (\$2,045) to Stephen J. Wornley and Diana L. Wornley, property owners of Permanent Parcel No 445-15-007, as full consideration for the grant of the Woernley Easement to the City of Parma;

Section 11. The City Treasurer is directed to issue payment in the amount of One Thousand Four Hundred Fifty dollars (\$1,450) to Ryan Arlia, property owner of Permanent Parcel No 445-15-017, as full consideration for the grant of the Arlia Easement to the City of Parma;

Section 12. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements;

Section 13. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary for the construction, installation, use, operation, maintenance, repair and replacement of a sanitary sewer in the City of Parma, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_

FILED WITH  
THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR, CITY OF PARMA, OHIO